

# EXHIBIT B

October 31, 2022

Via ECF

Honorable Ona T. Wang, U.S.M.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Gerard Sillam and Aldric Saulnier v. Labaton Sucharow, LLP, et al.  
Index No. 21 CV 6675 (CM) (OTW)

Dear Honorable Judge Wang,

Pursuant to Section II(e) of Your Honor's Individual Practices in Civil Cases, Plaintiffs and Defendants jointly submit the following proposed agenda relating to the Status Conference scheduled for November 3, 2022, at 3:00pm [ECF No. 48].

#### **PROPOSED AGENDA**

**1. The Dispute Over a Confidentiality Stipulation and Order.** Discovery has been proceeding in this action; the parties have continued to exchange document discovery and have worked together through an extensive meet-and-confer process that has resolved several discovery issues without the need for the Court's intervention. Plaintiffs have produced documents and Defendants await confirmation that Plaintiffs' production is completed. Plaintiffs' response to Defendants' second set of document requests is being provided this week. Defendants have also produced documents, but completion of their production is subject to a dispute concerning a Confidentiality Stipulation and Order. Defendants have requested that Plaintiffs execute a Confidentiality Stipulation and Order prior to Defendants completing their document production. Conversely, Plaintiffs disagree with Defendants request for a Confidentiality Stipulation and Order. Further information on the parties' positions is contained in our prior joint letter to Your Honor dated September 30, 2022 [ECF No. 45]. For convenience, another copy of that letter is attached. Counsel will be prepared to further discuss this issue at the conference.

Accordingly, the parties respectfully request that the Court rule on whether a Confidentiality Stipulation and Order will be entered in this action and on what terms, so as facilitate the completion of document production.

**2. The Dispute Over the Location of Plaintiffs' Depositions.** Defendants furnished Plaintiffs with a Notice of Deposition for in-person depositions of both parties at Plaintiff's counsel's offices, originally scheduled for September 29, 2022, and September 30, 2022. Defendants assert that the depositions of the Plaintiffs should take place in person in New York, where Plaintiffs filed this action, whereas Plaintiffs disagree with Defendants and believe the depositions can be held virtually. The parties disagree concerning the location (in-person/virtual) of the depositions. Thus, Plaintiffs' depositions did not proceed as scheduled and will be rescheduled after the Court rules whether the depositions will take place in person or virtually. Again, the parties' positions on this issue were summarized in the joint letter filed on September 30, 2022 [ECF No. 45] and counsel will be prepared to address them further at the conference.

Accordingly, the parties respectfully request the Court rule on this dispute concerning in-person/virtual depositions so that the parties' depositions may be scheduled. To date no depositions have been completed in this matter, but we anticipate being able to schedule them after the Court has resolved this issue.

We can also advise Your Honor that Judge McMahon has granted the parties request for the extension of the discovery cut-off date from October 31, 2022, to February 28, 2023, with the pretrial order to be filed by March 31, 2023. [ECF No. 50].

We thank the Court for its time and attention to this matter.

Respectfully,

/S/

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/S/

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